

EXHIBIT 2

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ROBERT SCHMIDT, RUSSELL ADAMS,
and JASON TAYLOR
individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

JAGUAR LAND ROVER
AUTOMOTIVE PLC and
JAGUAR LAND ROVER
NORTH AMERICA, LLC,

Defendants.

Civil Action No. 2:18-cv-08528-CCC-JBC

**DECLARATION OF THOMAS P. SOBRAN IN SUPPORT OF
APPLICATION FOR ATTORNEYS' FEES AND EXPENSES**

Thomas P. Sobran ("Sobran") declares on personal knowledge pursuant to 28 U.S.C. § 1746 as follows:

1. The affirmations in this declaration are based upon personal knowledge and contemporaneous records kept in the ordinary course of business. This declaration is in support of my application for an award of attorney fees in this class action proceeding (hereinafter "Land Rover timing chain class action") as well as expense reimbursement incurred in furtherance of the Land Rover timing chain class action.

2. I am the sole proprietor of Thomas P. Sobran, P.C. and concentrate in automotive products liability and class actions. Together with co-counsel Gary S. Graifman, I represent plaintiffs Robert Schmidt, Russell Adams and Jason Taylor in the above-captioned matter as co-lead class counsel.

3. I undertook the following activities in the Land Rover timing chain class action: pre-litigation investigation of the underlying facts, drafting and revisions of the initial complaint; drafting of pre-litigation demand letters; vetting of, and communications with clients, class representatives, prospective class members and class members; procuring exemplar class engine chain assembly components including replacement chains and tensioning levers, etc. and other system components; examination of alternative and updated Land Rover chain assemblies; contacting and reviewing the matter with automotive experts including technical analysis of multiple exemplar chain assemblies; reviewing workshop and repair manuals for class vehicles; reviewing class vehicle maintenance and service materials; researching automotive defect databases including the National Highway traffic Safety Administration; researching and drafting portions of the memorandum of law in opposition to motion to dismiss; drafting formal and informal discovery; gathering and organizing class representative vehicle information and documents; conferring with co-counsel as to litigation and settlement strategies; preparation of settlement memoranda and participation in settlement discussions and mediation convened before Nancy Lesser and a subsequent mediation before Judge Clark; reviewing and revising settlement documents including the term sheet, settlement agreement and exhibits; preparing and editing class communications, class notices and forms for claims and deficiency notices; and, drafting, reviewing and revising preliminary approval documents and resolution of related tangential issues. I also engaged in numerous conversations and/or email responses with class representatives and class members as to case specifics, eligible class vehicles and repairs, case status and settlement. Other activities include numerous telephone conferences and emails with Land Rover's counsel and coordinating with the third party administrator Angeion Group.

4. Additional anticipated future activities include preparing final approval papers; responding to additional class member inquiries via telephone and email, including reviewing claim denials and engaging in curing claim deficiencies; and, addressing objections and opt outs of class members and appeals, if any together with related procedures.

5. The schedule accompanying this declaration as **Exhibit 1** is a summary indicating the amount of time spent by me with on the Land Rover timing chain class action and the lodestar calculation based on my current billing rates. The schedule was prepared from contemporaneous daily time records regularly maintained as part of my record keeping and are available to the Court upon request. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this fee request.

6. The hourly rate for Thomas P. Sobran is \$750.00. Lodestar calculations are based upon my billing rates that do not include charges for expenses incurred in prosecuting the Land Rover timing chain class action. Case related expenses items are invoiced separately and are not duplicated in hourly or loadstar calculations. The total time expended on the Land Rover timing chain class action during the relevant time period prior (inception to November 30, 2020) and additional anticipated future time of 130 hours results in a total of 632.5 hours. The total lodestar for work performed to date and future anticipated work is \$474,375.00. The 130 hours of estimated future time is based on past experience on other similar automotive class actions where class administration activities extend well beyond the effective date of the settlement. These future hours are accounted for in **Exhibit 1**, column 12 captioned “Future Anticipated Work Hours including Final Approval Process, Final Approval Motion and Objection Replies, Communications with Class Members through Conclusion (Note: currently estimated.)”

7. The hourly rates for Sobran included in **Exhibit 1** are the same rates which have been accepted in other consumer class action litigation I successfully litigated.

8. As detailed in the case expense schedule attached hereto as **Exhibit 2**, I incurred a total of \$11,516.82 in unreimbursed expenses in connection with the prosecution of Land Rover timing chain class action. The expenses incurred in the Land Rover timing chain class action are reflected in the contemporaneous records of my firm. These records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred.

9. Attached as **Exhibit 3** is a brief biography of Thomas P. Sobran, P.C.

I declare under penalty of perjury under the laws of the Commonwealth of Massachusetts and the United States of America that the above is true and correct.

Executed this 3rd day of January 2021.


Thomas P. Sobran

EXHIBIT 1

ROBERT SCHMIDT, et al. v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Civil Action No. 18-cv-08528-CCC-JBC

THOMAS P. SOBRAN, P.C. TIME / LODESTAR CHART
PERIOD: Inception to January 3, 2022

Name/Position	1	2	3	4	5	6	7	8	9	10	11	12	Total Hours	Hourly Rate	Lodestar
Thomas P. Sobran / Partner	64	89.1	18.3	75.8	58.5	.5	.2	178.5	10.3	5.6	1.7	(130)	632.5	\$750.00	\$474,375.00

CATEGORIES

1. Pre-Litigation Investigation
2. Drafting Complaints (original / amended)
3. Case Development / Administration
4. Post Filing Investigation / Communications with Class Members
5. Motion Practice / Memoranda Drafting / Legal Research
6. Court Hearings / Appearances

7. Communications with Consultants / Experts
8. Negotiation / Settlement Process
9. Settlement Documentation, Motions / Briefing (preliminary approval)
10. Discovery Activities
11. Class Claims Administration Issues / Communications with Class Members
12. Future Anticipated Work Hours including Final Approval Process, Final Approval Motion and Objection Replies, Communications with Class Members through Conclusion (NOTE: currently estimated).

EXHIBIT 2

EXPENSE REPORT FOR THOMAS P. SOBRAN, P.C.

ROBERT SCHMIDT, et al. v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Civil Action No. 18-cv-08528-CCC-JBC

<u>Category</u>	<u>Amount</u>
Travel, lodging, parking, meals and related expenses	\$1,891.47
Postage and overnight delivery (Fed Ex, UPS)	\$38.00
PHV filing fee / pro rata N.J. client fund installments	\$360.00
Mediation fees	\$9,146.70
Copying	\$48.65
Legal research fees (PACER)	\$32.00
TOTAL EXPENSES	\$11,516.82

EXHIBIT 3

THOMAS P. SOBRAN

**7 EVERGREEN LANE
HINGHAM, MA 02043**

**TELEPHONE (781) 741-6075
FACSIMILE (781) 741-6074
EMAIL: tsobran@sobranlaw.com**

EDUCATION

University of Miami School of Law

Coral Gables, Florida
Juris Doctor, June 1983

Boston University

Boston, Massachusetts
Bachelor of Arts, May 1978

LEGAL EXPERIENCE

Class action experience includes:

- Co-lead class counsel *Gelis, et al. v. Bayerische Motoren Werke Aktiengesellschaft, et al.*, United States District Court for the District of New Jersey, Civil Action No. 17-cv-7386-WHW
- Co-lead class counsel *Oliver, et al. v. Bayerische Motoren Werke Aktiengesellschaft, et al.*, United States District Court for the District of New Jersey, Civil Action No. 17-cv-12979-CCC
- Co-lead class counsel *Coffeng, et al. v. Volkswagenwerk Aktiengesellschaft, et al.*, United States District Court for the District of Northern California, Civil Action No. 3:17-cv-01825-JD
- Executive committee *Salcedo v. Subaru of America, Inc., et al.*, United States District Court, District of New Jersey Civil Action No. 1:17-cv-08173-JHR
- Executive committee *In Re Volkswagen Timing Chain Product Liability Litigation*, United States District Court, District of New Jersey Civil Action No. 2:16-cv-2765-JLL
- Lead class counsel *Fisher, et al. v. Mitsubishi Electric Corporation, et al.*, United States District Court, District of Connecticut Civil Action No. 3:09-CV-1899-RNC
- Lead counsel *Diveroli, et al. v. Volkswagenwerk Aktiengesellschaft, et al.*, United States District Court, District of Massachusetts Civil Action No. 07-cv-10196-JLT later consolidated into *In re Volkswagen*, MDL 1790
- Other class action proceedings involve defective consumer products including automobiles, automotive products and electronic goods

Non-class action experience includes:

- Thirty-five years of experience involving complex products liability litigation with an emphasis on automotive defects and crashworthiness proceedings

- In excess of fifteen (15) personal injury cases resulting in verdicts or settlements of more than one million dollars
- Representation of gas turbine helicopter engine manufacturer in aviation accidents involving loss of aircraft and personal injury
- Expert witness in subject matter area of automotive products liability in legal malpractice proceedings
- Qualified and testified at trial as an expert witness in the subject matter area of Porsche 911 engine design and repair procedures in Massachusetts District Court
- Co-authored papers presented at Massachusetts Continuing Legal Education products liability seminars
- Prepared course materials presented by past American Association of Justice (formerly ATLA) President at the 34th Annual Advocacy Institute

Automotive experience

- Factory-trained Volvo, Honda, BMW, Mercedes-Benz and Porsche automotive technician and service manager
- Extensive knowledge of vehicle-component design and manufacture together with assembly, test and repair procedures
- Extensive experience in automotive engine blueprinting and race preparation including designing, machining / fabricating automotive components
- Extensive motor vehicle modification and race preparation experience including turbo charging, internal engine components as well as other components including transmissions and suspension systems
- Ability to read and interpret design drawings, schematics and test protocols employing SAE and DIN standards
- Crew member of NASCAR Craftsman Truck Series and NASCAR Busch Series race teams; crew chief for SCCA Porsche 916 race team responsible for engine build and crew member on SCCA Trans-Am Pro Series team

Miscellaneous

- Professional memberships include Society of Automotive Engineers, Association for the Advancement of Automotive Medicine, Center for Auto Safety and Insurance Institute for Highway Safety
- Familiarity with National Highway Traffic Safety Administration investigation procedures, testing protocol and data bases